

REMARKS UNDER 37 CFR § 1.111

Formal Matters

Claims 5-9 were examined and rejected.

By this Amendment, claims 5, 6 and 8 are cancelled without prejudice, claim 7 is amended and claim 10 is added. Claims 7, 9 and 10 are pending after entry of the amendments set forth herein.

The cancellation of claims is done without prejudice to renewal, without intent to acquiesce to any rejection, and without intent to surrender any subject matter encompassed by the canceled claims. Applicants expressly reserve the right to pursue any canceled subject matter in one or more continuation and/or divisional applications.

The amendments to the claims were made solely in the interest of expediting prosecution, and are not to be construed as acquiescence to any objection or rejection of any claim.

Support for the claim amendments and for the newly added claim is found in the original claims and throughout the specification and the drawings, particularly in Figure 1 and on page 9, lines 17-24. Accordingly, no new matter has been added.

Applicants respectfully request reconsideration of the application in view of the amendments and remarks made herein.

Claim Rejections

Claims 5 and 7 were rejected under 35 U.S.C. §102(b) as being anticipated by Mueller (U.S. Patent No. 5,296,291). Claims 6, 8 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable in view of Mueller.

As claims 5, 6 and 8 have been cancelled herein, the rejections as to them have been made moot.

As amended, independent claim 7 further includes the limitation of cancelled claim 8, and provides for a laminated material configured for use in laser ablation, the material comprising first and second layers and an adhesive layer there between, wherein the first and second layers have different coefficients of thermal expansion, and wherein the second layer has a thickness and a hole extending through the thickness wherein a region of the first layer aligned with the hole is not laminated to the second layer and wherein the adhesive layer is not present on the region. The omission of adhesive material at this region facilitates the laser ablation process.

Mueller discloses a breathable laminate for packaging produce. The laminate has two layers 12 and 18 where one layer 12 has perforations 14 therein, and an adhesive layer 40 is positioned between layers 12 and 18. Unlike the claimed invention, Mueller's adhesive layer extends over the entirety of the surface area of the layers, i.e., adhesive layer 40 is present on the regions of layer 18 which are aligned with the holes 14 within layer 12. Further, Mueller does not otherwise disclose, suggest or teach the absence of the adhesive layer in these regions, as Mueller's material has no use in laser ablation applications. Accordingly, Mueller neither anticipates nor makes obvious the subject matter of claim 7 and claim 9 which depends from claim 7.

Applicant respectfully requests withdrawal of the rejections and allowance of the claims.

Newly Added Claim 10

As newly added claim 10 is dependent on claim 7, for at least the reasons presented above, claim 10 is also patentable in view of Mueller. Allowance of claim 10 is respectfully requested.

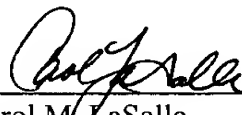
Conclusion

Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number AERX-070DIV.

Respectfully submitted,
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Date: 10/14/03

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